IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Smt. Gayatri Salvi Vs. State of Rajasthan & Ors.

S.B.CIVIL WRIT PETITION NO.1066/2007

DATE OF ORDER :: February 27, 2007

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.Anand Purohit, for the petitioner
Mr.B.L.Tiwari, Deputy Government Advocate.

BY THE COURT:

Issue notice to the respondents.

Mr.B.L.Tiwari, learned Deputy Government Advocate is directed to accept the notice for the respondents. He accepts the same.

A short point is involved in the instant writ petition and, therefore, with the consent of the learned counsel for the parties, the writ petition is being heard and finally decided at the admission stage.

I have heard learned counsel for the parties. The petitioner, an employee of the respondents on the post of

Auxiliary Nursing Midwife (ANM), was transferred vide Annexure-1 dt. 29.1.2007 from P.H.C. Narwali, Banswara to Sub-Centre Khedawra P.H.C. Talwara, Banswara. In pursuance of the order Annexure-2 dt. 31.1.2007, the petitioner was directed to join the duty at Sub-Centre, Kheradabra, P.H.C. Talwara, Banswara. It appears that in the original order Annexure-1, while transferring the petitioner from P.H.C. Narwali, Banswara to Sub-Centre Kheradabra, P.H.C. Talwara, Banswara, the expression "Kherawra" has been typed, which has been corrected by order Annexure-2 and the petitioner was directed to join at Sub-Centre, Kheradabra, P.H.C. Talwara Banswara, the place to which the petitioner was transferred vide order Annexure-1. In pursuance of the orders Annexure-1 and 2, the petitioner went to join her duties at Sub-Centre Kheradabra, P.H.C. Talwara, Banswara but she was not allowed to join and, therefore, the petitioner seeks direction to the respondents to allow her to join.

By order Annexure-3, the petitioner was relieved to join at Sub-Centre Kheradabra, P.H.C. Talwara, Banswara. In the circumstances, therefore, there can be no reason to deny the petitioner to join at new place of posting unless any contrary order to that effect is made. There being nothing on record to show that the respondents have passed any contrary order than

to one on record.

In this view of the matter, the respondents are directed to allow the petitioner to join her at the place of posting i.e. Sub-Centre Kheradabra, P.H.C. Talwara, Banswara and allow her to continue at the same place unless the contrary order is made by the respondents. However, if the petitioner has been denied to join on account of some contrary order, then it will be open for the respondent State to move before this Court for recalling of this order.

With the directions above, the writ petition stands disposed of. There shall be no order as to costs.

[H.R.PANWAR],J.

m.asif/-